

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 3:16-CR-50-DPJ-FKB

CARL REDDIX

ORDER

This morning, the Court conducted a telephonic conference with counsel regarding the Government's Motion for Determination of Money Judgment [55]. That motion was filed last Friday. During the call, counsel for Defendant Carl Reddix indicated that he may have legal objections which require briefing. Given the timing of the motion and the expected objections, Defendant eventually asked for a continuance of today's scheduled sentencing hearing.

The Court agrees that the hearing should be continued and further notes that going forward would potentially violate Federal Rule of Criminal Procedure 32.2(b)(2)(B). The money judgment the Government now seeks is a form of forfeiture. And "[u]nless doing so is impractical, the court must enter the preliminary order [of forfeiture] sufficiently in advance of sentencing to allow the parties to suggest revisions or modifications before the order becomes final as to the defendant under Rule 32.2(b)(4)." Fed. R. Crim. P. 32.2(b)(2)(B). Doing so in this case would not be possible if the sentencing hearing proceeds as scheduled.

It is, therefore, ordered that the sentencing hearing set for later today will be continued until further notice. Defendant shall have until September 1, 2017, to file any objections to the Government's motion. The Government shall thereafter have until September 8, 2017, to file a

reply. Once the forfeiture issues are resolved and the Court enters a preliminary order under Rule 32.2(b), the sentencing will be reset.

SO ORDERED AND ADJUDGED this the 1st day of August, 2017.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE